

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CLEVELAND BRUNSON,	:	CIVIL ACTION
	:	NO. 04-2166
Plaintiff,	:	
	:	
v.	:	
	:	
JO ANNE BARNHART,	:	
COMMISSIONER OF SOCIAL	:	
SECURITY ADMINISTRATION,	:	
	:	
Defendant.	:	

**O R D E R**

**AND NOW**, this **12th** day of **July, 2005**, upon consideration of the cross-motions for summary judgment and after review of the Report and Recommendation of United States Magistrate Judge Charles B. Smith, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;<sup>1</sup>
2. Plaintiff's motion for summary judgment (doc. no. 12) is **GRANTED**.
3. Defendant's motion for summary judgment (doc. no. 13) is **DENIED**.
4. The final decision of the Commissioner of Social Security denying Plaintiff's claim for disability insurance benefits under Title II of the Social

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<sup>1</sup> Defendant did not file objections to the Magistrate Judge's Report and Recommendation.

Security Act is **REVERSED**;

5. The matter is remanded to the Commissioner for a calculation of benefits.

**AND IT IS SO ORDERED.**

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**EDUARDO C. ROBRENO, J.**